

JUL 26 2007 3:54PM +1-212-319-5101 customer 01933

RECEIVED NO. 7249 P. 2
CENTRAL FAX CENTER

JUL 26 2007

RESPONSE- 37 C.F.R. 1.111
Serial No. 10/537,712

Customer NO. 01933

The claims readable on Species I and Sub species A are claims 1-3, 6-9, 11-14 and 17-19.

THIRD ELECTION

Applicants hereby elect second Sub-species iii, wherein the ultraviolet ray light source is a hot-cathode tube, with traverse.

CLAIMS READABLE ON ELECTED SPECIES

The claims readable on elected Species I and Sub-species A and the second Sub-species iii are claims 1-3, 6-9, 11-14 and 17-19.

TRAVERSE

Applicants traverse the outstanding restriction requirement on the grounds that the Examiner did not apply the criteria for PCT International Applications. The present application is a U.S. National Phase Application based on an International Application. Therefore, the PCT requirements for "unity of invention" should apply in determining whether restriction/election is required. In the present case, the Examiner clearly did not apply the PCT requirements and made no comments whatsoever as to "unity of invention" under the PCT rules.

In the international stage of the International Application corresponding to the present application, no objection was made

RESPONSE- 37 C.F.R. 1.111
Serial No. 10/537,712

Customer NO. 01933

concerning "unity of invention", and no restriction/election requirement was made.

It is respectfully requested that the Examiner withdraw the election/restriction requirement since the present application falls within the "unity of invention" requirements of the PCT rules. Upon withdrawal of the election/restriction requirement, it is respectfully requested that the Examiner act on all of claims 1-19 on the merits.

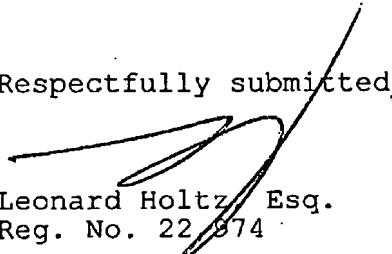
It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth above.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action.

* * * * *

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


Leonard Holtz, Esq.
Reg. No. 22,974

FRISHAUF HOLTZ GOODMAN & CHICK, P.C.
220 FIFTH AVENUE
NEW YORK, N.Y. 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101